



[Billing Code 3290-F7]

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **Notice of Continuation and Request for Nominations for the Trade and Environment Policy Advisory Committee**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice and request for applications.

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**SUMMARY:** The Office of the United States Trade Representative (USTR) is establishing a new two-year charter term and accepting applications from qualified individuals interested in serving as a member of the Trade and Environment Policy Advisory Committee (TEPAC). The TEPAC is a trade advisory committee that provides general policy advice to the United States Trade Representative on trade policy matters that have a significant impact on the environment.

**DATES:** USTR will accept nominations on a rolling basis for membership on the TEPAC for the two-year charter term beginning on September 30, 2017, and expiring on September 29, 2019.

**FOR FURTHER INFORMATION CONTACT:** Stewart Young, Deputy Assistant Trade Representative for Intergovernmental Affairs and Public Engagement, [Stewart.B.Young@ustr.eop.gov](mailto:Stewart.B.Young@ustr.eop.gov) or 202-395-2864, or Sarah Stewart, Deputy Assistant Trade Representative for Environment and Natural Resources, [Sarah\\_Stewart@ustr.eop.gov](mailto:Sarah_Stewart@ustr.eop.gov) or -202-395-3858.

## **SUPPLEMENTARY INFORMATION:**

### **1. Background**

Section 135(c)(1) of the Trade Act of 1974, as amended (19 U.S.C. 2155(c)(1)), authorizes the President to establish individual general trade policy advisory committees for industry, labor, agriculture, services, investment, defense, small business, and other interests, as appropriate, to provide general policy advice. The President delegated that authority to the United States Trade Representative in Executive Order 11846, section 4(d), issued on March 27, 1975. In addition, we anticipate that the President will issue an Executive Order specifically concerning the TEPAC, which will continue its charter for two years. Advisory committees established by the Trade Representative are subject to the provisions of the Federal Advisory Committee Act. See 19 U.S.C. 2155(f); 5 U.S.C. App. II.

Pursuant to these authorities, the United States Trade Representative intends to establish a new two-year charter term for the TEPAC, which will begin on September 30, 2017 and end on September 29, 2019. The TEPAC is a trade advisory committee established to provide general policy advice to the United States Trade Representative on trade policy matters that have a significant impact on the environment. More specifically, the TEPAC provides general policy advice on issues including: (1) negotiating objectives and bargaining positions before entering into trade agreements; (2) the environmental impact of the implementation of trade agreements; (3) matters concerning the operation of any trade agreement once entered into; and (4) other matters arising in connection with

the development, implementation, and administration of the trade policy of the United States.

The TEPAC meets as needed, at the call of the United States Trade Representative or his/her designee, or two-thirds of the TEPAC members, depending on various factors such as the level of activity of trade negotiations and the needs of the United States Trade Representative.

## **II. Membership**

The TEPAC is composed of not more than 35 members, including, but not limited to, representatives from environmental interest groups, industry (including the environmental technology and environmental services industries), agriculture, academia, consumer groups, services, non-governmental organizations, and others with expertise in trade and environment matters. The United States Trade Representative appoints all TEPAC members for a term of four-years or until the TEPAC charter expires, and they serve at his/her discretion. Individuals can be reappointed for any number of terms. The United States Trade Representative makes appointments without regard to political affiliation and with an interest in ensuring balance in terms of sectors, demographics, and other factors relevant to the USTR's needs. USTR intends for the TEPAC to be broadly representative of key sectors and groups of the economy with an interest in trade and environmental policy issues.

TEPAC members serve without either compensation or reimbursement of expenses. Members are responsible for all expenses they incur to attend meetings or otherwise participate in TEPAC activities.

The United States Trade Representative appoints TEPAC members to represent their sponsoring U.S. entity's interests on trade and the environment, and thus USTR's foremost consideration for applicants is their ability to carry out the goals of section 135(c) of the Trade Act of 1974, as amended. Other criteria include the applicant's knowledge of and expertise in international trade issues as relevant to the work of the TEPAC and USTR. USTR anticipates that almost all TEPAC members will serve in a representative capacity with a limited number serving in an individual capacity as subject matter experts. These members, known as special government employees, are subject to conflict of interest rules and will have to complete a financial disclosure report.

### **III. Request for Nominations**

USTR is soliciting nominations for membership on the TEPAC. To apply for membership, an applicant must meet the following eligibility criteria:

1. The applicant must be a U.S. citizen.
2. The applicant cannot be a full-time employee of a U.S. governmental entity.
3. If serving in an individual capacity, the applicant cannot be a federally registered lobbyist.
4. The applicant cannot be registered with the U.S. Department of Justice under the Foreign Agents Registration Act.
5. The applicant must be able to obtain and maintain a security clearance.
6. For representative members, who will comprise the overwhelming majority of the TEPAC, the applicant must represent a U.S. organization whose members (or

funders) have a demonstrated interest in issues relevant to trade and the environment or have personal experience or expertise in trade and the environment.

For eligibility purposes, a “U.S. organization” is an organization established under the laws of the United States, that is controlled by U.S. citizens, by another U.S. organization (or organizations), or by a U.S. entity (or entities), determined based on its board of directors (or comparable governing body), membership, and funding sources, as applicable. To qualify as a U.S. organization, more than 50 percent of the board of directors (or comparable governing body) and more than 50 percent of the membership of the organization to be represented must be U.S. citizens, U.S. organizations, or U.S. entities. Additionally, at least 50 percent of the organization’s annual revenue must be attributable to nongovernmental U.S. sources.

7. For members who will serve in an individual capacity, the applicant must possess subject matter expertise regarding international trade and environmental issues.

In order to be considered for TEPAC membership, interested persons should submit the following to Stewart Young at [Stewart.B.Young@ustr.eop.gov](mailto:Stewart.B.Young@ustr.eop.gov):

- Name, title, affiliation, and contact information of the individual requesting consideration.
- If applicable, a sponsor letter on the organization’s letterhead containing a brief description of the manner in which international trade affects the organization and why USTR should consider the applicant for membership.
- The applicant’s personal resume or comprehensive biography.
- An affirmative statement that the applicant and the organization he or she represents meet all eligibility requirements.

USTR will consider applicants who meet the eligibility criteria based on the following factors: ability to represent the sponsoring U.S. entity's or U.S. organization's and its subsector's interests on trade and environmental matters; knowledge of and experience in trade and environmental matters relevant to the work of the TEPAC and USTR; and ensuring that the TEPAC is balanced in terms of points of view, demographics, geography, and entity or organization size.

Stewart Young

Deputy Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Engagement

Office of the United States Trade Representative.

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